

## **REMARKS/ARGUMENTS**

The rejections presented in the Office Action dated November 26, 2008 (hereinafter Office Action) have been considered. Claims 1-26 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 1-9 and 26 are rejected based on 35 U.S.C. §112, second paragraph, as being indefinite.

Applicants respectfully traverse the rejections. However, in order to facilitate prosecution of the application and in a bona fide attempt to advance the application to allowance, Claims 1 and 26 have been amended to remove the preambles. Therefore, withdrawal of the rejection is respectfully solicited.

Claims 1-26 are rejected based on 35 U.S.C. §103(a) as being unpatentable over “Every day, more PC users join in hunt for alien life” by Rick Shefchik (hereinafter “Shefchik”) in view of U.S. Publication No. 2001/0039497 by Hubbard (hereinafter “Hubbard”).

The Applicants respectfully submit that the claims as originally filed are not rendered obvious in view of the combination of Shefchik and Hubbard. However, in order to facilitate prosecution of the application and in a *bona fide* attempt to advance the application to allowance, the Applicants present this response with amendment to clarify particular aspects of the claimed invention.

For example, Claim 1 has been amended to recite tracking a distributed computing tasks performed by each contributing user. A user-perceivable experience is provided as a reward for the distributed computing task, and access to the user-perceivable experience is governed based on a quantity of the distributed computing tasks performed by each contributing user. Independent Claims 10, 16, 20, 25, and 26 have been similarly amended. These amendments are fully supported in the Application as filed (see, e.g., Specification at [0037] and [0042]).

Applicants submit that the combination of Shefchik and Hubbard fail to teach or suggest tracking of distributed computing tasks and accessing a user-perceivable experience in response to a quantity of the distributed computing tasks performed. In the rejections, Shefchik’s description of a screen saver rendering frames or images onto the user’s computer is cited as teaching the provision of a user-perceivable experience as a result of a distributed computing

task. However, Shefcik does not describe any change in the access to the screensaver based on a quantity of distributed computing tasks performed by the user's computer.

Hubbard fails to remedy the deficiencies of Shefcik. Hubbard describes incentives "to encourage users and owners of the distributed devices to allow the capabilities of the distributed devices to be utilized in the distributed parallel processing system," where such incentives include "airline frequent-flyer miles, purchase credits and vouchers, payments of money, monetary prizes, property prizes, free trips, time-share rentals, cruises, connectivity services, free or reduced cost Internet access, domain name hosting, mail accounts, participation in significant research projects, achievement of personal goals, or any other desired incentive or reward," ([0048] and [0052]).

Although not relied upon in the rejections, it is noted that Hubbard does not teach or suggest that an incentive that includes a user perceivable experience provided by the same arrangement that performs distributed tasks. Thus, while Hubbard describes "user may also be provided information as to how incentives would increase if the user allocated or changed the settings for the agent client manager," ([0071]) nowhere does Hubbard describe governing access to a user-perceivable experience based on a quantity of the distributed computing tasks performed by each contributing user. In this section (e.g., [0063] to [0072] and FIG. 2C-D) of the reference, Hubbard describes advertising directed to projecting incentive gains based on upgrading processing hardware. However, the incentive advertising shown in FIG. 2D is not a user perceivable experience that is provided as a reward for participating in a distributed computing task. The incentive advertising merely shows how advertised computer upgrades will affect the incentives previously described by Hubbard (e.g., airline frequent-flyer miles, purchase credits and vouchers, payments of money, etc.).

As a result, the combination of Shefcik and Hubbard fails to teach or suggest all of the features of independent Claims 1, 10, 16, 20, 25, and 26, and so these claims are allowable over this combination. Further, Claims 2-9, 11-15, 17-19, and 21-24 are allowable over the Shefcik/Hubbard combination based on their respective dependence from Claims 1, 10, 16, and 20. "If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious." M.P.E.P. § 2143.03; citing *In re Fine*, 837 F.2d 1071, 5

USPQ2d 1596 (Fed. Cir. 1988). Accordingly, allowance of Claims 1-26 is respectfully requested.

It is to be understood that the Applicants do not acquiesce to the Examiner's characterization of the asserted art or the Applicant's claimed subject matter, nor of the Examiner's application of the asserted art or combinations thereof to the Applicant's claimed subject matter. Moreover, the Applicants do not acquiesce to any explicit or implicit statements or conclusions by the Examiner concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, alternative equivalent arrangements, common knowledge at the time of the Applicant's invention, officially noticed facts, and the like. The Applicants respectfully submit that a detailed discussion of each of the Examiner's rejections beyond that provided above is not necessary, in view of the clear absence of teaching and suggestion of various features recited in the Applicant's pending claims. The Applicants, however, reserve the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (NOKM.091PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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